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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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CORPORATION

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

JOHN PRUETT SR., as legal heir to
JODIE GERALDINE PRUETT, deceased,

Plaintiff,

v.

GLAXOSMITHKLINE, a Pennsylvania
corporation, and McKESSON,

Defendants.

CV 08

1057

NOTICE OF PENDENCY OF OTHER
ACTION OR PROCEEDING
[CIV. L.R. 3-13]

Pursuant to Civil L.R. 3-13, defendants SMITHKLINE BEECHAM
CORPORATION dba GLAXOSMITHKLINE (incorrectly sued as
GLAXOSMITHKLINE, a Pennsylvania Corporation) ("GSK") and McKESSON
CORPORATION ("McKesson") submit the following Notice of Pendency of Other
Action or Proceeding:

On October 16, 2007, the Judicial Panel on Multidistrict Litigation ("JPML")
created MDL 1871, *In re Avandia Marketing, Sales Practices and Products Liability*
Litigation, directing that then-pending Avandia®-related cases be transferred and
coordinated for pretrial proceedings in the United States District Court for the Eastern

District of Pennsylvania, before the Honorable Cynthia M. Rufe, pursuant to 28 U.S.C. §1407. To date, nearly 50 cases have been transferred to MDL 1871, and transfers of additional "tag-along" actions are pending. GSK seeks the transfer of this action to MDL 1871. Pursuant to Civil L.R. 3-13, GSK therefore respectfully requests that this Court stay this action, pending a decision on transfer by the JPML, to achieve judicial economies that underlie 28 U.S.C. Section 1407 (Multi-District Litigation Procedures) and to avoid conflicts, conserve judicial resources, and promote an efficient determination of the action.

Please take note that, in addition to MDL 1871, the following state court actions also allege marketing, sales practice and/or product liability claims against SmithKline Beecham Corporation d/b/a GlaxoSmithKline, related to the use of the prescription drug Avandia:

1. *Bosak, Kenneth, Bosak, Patricia v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, No. 000521.
2. *Cearley, Travis v. SmithKline Beecham Corporation, GlaxoSmithKline, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 003877
3. *Fabyankovic, Janet v. SmithKline Beecham Corporation, McKesson Corporation and Does 1 through 15*, Superior Court for the State of California, San Francisco County, No. 08-471571.
4. *Hall, Charles, Hall Susan v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 002712
5. *Hunter, Raymond v. GlaxoSmithKline, SmithKline Beecham Corporation, and GlaxoSmithKline PLC*, Court of Common Pleas, Philadelphia County, No. 000574;
6. *Kelly, Joseph v. SmithKline Beecham Corporation, GlaxoSmithKline, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Supreme Court of the State of New York, Erie County, No. 12007-11066
7. *Kozar, Agnes, Kozar, Francis A. (Estate of) v. GlaxoSmithKline, PLC*,

1 Court of Common Pleas, Philadelphia County, No. 004897;

2 8. *Larson, Paul, Larson Mary (Estate of) v. GlaxoSmithKline, PLC, et al.*,
3 Marion County Superior Court, State of Indiana, No. 49D050712 CT 054365

4 9. *Lloyd, Linda, Lloyd, Michael (Estate of) v. SmithKline Beecham*
5 *Corporation d/b/a GlaxoSmithKline*, Third Judicial Circuit, Salt Lake County, Utah, Case
6 No. 070913924;

7 10. *McClure, Benjamin, McClure, Susan v. SmithKline Beecham Corp. d/b/a*
8 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 004431;

9 11. *Mitchell, F.C., et al. v. GlaxoSmithKline Corporation, McKesson*
10 *Corporation and Does 1-50*, California Superior Court, Sacramento County, No. 34-
11 2008-00000449-CU-PO-GDS;

12 12. *Odierna, Camille v. SmithKline Beecham Corporation, SmithKline*
13 *Beecham Corporation d/b/a GlaxoSmithKline PLC, and GlaxoSmithKline PLC*, Supreme
14 Court of the State of New York, Nassau County, No. 07-021754;

15 13. *Parks, Josephine v. SmithKline Beecham Corporation, et al.*, Court of
16 Common Pleas, Philadelphia County, No. 001670;

17 14. *Perrenot, Preston v. SmithKline Beecham Corporation d/b/a*
18 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 002454;

19 15. *Pruett Sr., John, as legal heir to Jodie Geraldine Pruett v. GlaxoSmithKline*
20 *Corporation and McKesson*, California Superior Court, San Francisco County, No. CGC-
21 08-472061;

22 16. *Rader, Rickey on behalf of himself and all others similarly situated v.*
23 *GlaxoSmithKline, PLC and GlaxoSmithKline USA*, Marion County Superior Court, State
24 of Indiana, No. 49D130712 CT 053223

25 17. *Self, Joe v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court
26 of Common Pleas, Philadelphia County, No. 002457;

27 18. *Tartack, Nancy, Tartack, Louis v. SmithKline Beecham Corporation,*
28 *GlaxoSmithKline, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court

1 of Common Pleas, Philadelphia County, No. 004010;

2 19. *Thomas, Samuel, Thomas Ruth Ann v. SmithKline Beecham Corporation*
3 *d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 002483;

4 20. *White, Glenn v. SmithKline Beecham Corp., GlaxoSmithKline, and*
5 *SmithKline Beecham Corp. d/b/a GlaxoSmithKline*, Court of Common Pleas,
6 Philadelphia County, No. 003674; and

7 21. *Yeager, Elizabeth, et al. v. SmithKline Beecham Corporation,*
8 *GlaxoSmithKline, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court
9 of Common Pleas, Philadelphia County, No. 004055.

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11 Dated: February 21, 2008

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